

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

HODELL-NATCO, INC.

Plaintiff

-vs-

SAP AMERICA, INC., et al.

Defendants

: CASE NO. 1:08CV2755
:
: JUDGE WELLS
: MAGISTRATE WHITE
:
: **REPORT OF PARTIES' PLANNING**
: **MEETING UNDER FED.R.CIV.P.26(f)**
: **and LR 16.3(b)**
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1. Pursuant to Fed. R. Civ. P. 26(f) and LR 16.3(b), a meeting was held on April 1, 2010, and was attended by: P. Wesley Lambert, counsel for Plaintiff; Roy A. Hulme, counsel for Defendant(s) LSI-Lowery Systems, Inc.; Thomas S. Downie, counsel for Defendant, SAP America, Inc. and SAPAG.

2. The parties:

_____ have exchanged the pre-discovery disclosures required by Rule 26(a)(1) and the Court's prior order;

 X will exchange such disclosures by April 30, 2010.

_____ have not been required to make initial disclosures.

3. The parties recommend the following track:

_____ Expedited X Standard _____ Complex

_____ Administrative _____ Mass Tort

4. This case:

 X is suitable for electronic filing.

 Is not suitable for electronic filing.

5. This case is suitable for one or more of the following Alternative Dispute Resolution (“ADR”) mechanisms:

 Early Neutral Evaluation Mediation

 Summary Jury Trial Summary Bench Trial

 Arbitration X Case not suitable for ADR
At this time

6. The parties:

 do consent to the jurisdiction of the United States
Magistrate Judge pursuant to 28 U.S.C. § 636 (c).

 X do not consent to the jurisdiction of the United States
Magistrate Judge pursuant to 28 U.S.C. § 636(c).

7. Recommended Discovery Plan:

(a) Describe the subjects on which discovery is to be sought and the nature and extent of discovery.

Estimate of 10 to 12 fact witness depositions and three to five expert witness depositions. Exchange of Interrogatories, documents and electronically stored information.

(b) Recommended Discovery cut-off date:

Fact discovery:	<u>December 31, 2010</u>
Plaintiff expert report due:	<u>January 31, 2011</u>
Defendant expert reports due:	<u>March 15, 2011</u>
Plaintiff rebuttal expert reports due:	<u>April 15, 2011</u>
Expert discovery to be complete:	<u>May 30, 2011</u>

8. The parties:

 X expect to use expert witnesses in this case.

 do not expect to use expert witnesses in this case.

9. Recommended dispositive motion date: January 3, 2011

10. Recommended cut-off date for filing any motion to amend the pleadings and/or to add additional parties: July 31, 2010

11. Other matters for the attention of the Court:

1. Pending Motion to Dismiss
2. Parties anticipate submitting a Stipulated Protective Order
As to certain confidential and trade secret information.

Signatures:

/s/ P. Wesley Lambert
Attorney for Plaintiff(s):

Hodell-Natco Industries, Inc.

/s/ Roy A. Hulme
Attorney for Defendant(s):

LSI-Lowery Systems, Inc.
The IBIS Group, Inc.

/s/ Thomas S. Downie
Attorney for Defendant(s)

SAP America, Inc.
SAP AG